

March 15, 2016

Re: Federal Update

- I. Senate Action on Opioid Epidemic
- II. Water Infrastructure Funding
- III. Keeping Municipal Bond Markets Strong
- IV. Wireless Siting Issues
- V. Policing in the 21st Century Report Published
- VI. Webinar on Supreme Court Decision Impact on Local Governments

Dear Mayor:

Here is an update on some Federal government matters important to New Jersey municipalities. We thank the Federal Advocacy Staff at the National League of Cities (NLC) for their good work on these issues and for their help on this update.

I. U.S. Senate Passes Bill to Address Opioid Epidemic

In 2015, Senators Sheldon Whitehouse (RI), Rob Portman (OH), Amy Klobuchar (MN), Kelly Ayotte (NH), Christopher Coons (DE) and Mark Kirk (IL) introduced the “Comprehensive Addiction and Recovery Act of 2015” (CARA, S. 524). The legislation would:

- Broaden prevention and educational efforts—particularly aimed at teens, parents and other caretakers, and aging populations—to prevent the abuse of opioids and heroin and to promote treatment and recovery;
- Expand the availability of naloxone (Narcan) to law enforcement agencies and other first responders to help in the reversal of overdoses to save lives;
- Allocate more resources to identify and treat incarcerated individuals suffering from addiction disorders promptly by collaborating with criminal justice stakeholders and by providing evidence-based treatment;
- Increase disposal sites for unwanted prescription medications to keep them out of the hands of our children and adolescents;
- Launch an evidence-based opioid and heroin treatment and interventions program. While we have medications that can help treat addiction, there is a critical need to get the training and resources necessary to expand treatment best practices throughout the country; and
- Strengthen prescription drug monitoring programs to help states monitor and track prescription drug diversion and to help at-risk individuals access services.

Strongly supported by the National League of Cities, the Senate passed the bill on Friday, March 11. We thank Senators Menendez and Booker for their affirmative votes.

II. NLC Supports Water Infrastructure Funding

Last week, NLC passed a resolution calling for federal support for Flint, Michigan, and for investment in water infrastructure nationwide. The resolution urges Congress to provide direct assistance to Flint, asks the U.S. Environmental Protection Agency (EPA) to resolve the drinking water crisis, and calls on the entire federal government to support economic recovery in the city.

Recognizing the consequences of disinvestment in water infrastructure nationwide, in the resolution, NLC is also calling on Congress and the Administration to support robust funding for all water infrastructure mechanisms, including the Clean Water and Drinking Water State Revolving Loan Fund (SFR) programs and the Water Infrastructure Finance and Innovation Act (WIFIA).

In addition to the resolution, NLC sent a letter to House and Senate appropriators requesting robust funding in the Fiscal Year 2017 spending bills. While some members of Congress have proposed to dramatically boost water infrastructure spending next year, and NLC supports these efforts, we recognize that the budgetary situation faced by Congress may prevent total SRF appropriations from reaching the proposed levels.

At a minimum, NLC is calling on Congress to maintain the Clean Water SRF in FY17 at the FY16 level of \$1.4 billion and to bring the Drinking Water SRF to that same level. The President's FY17 budget included \$979.5 million for the Clean Water SRF (a cut of over \$414 million from FY16) and \$1.020 billion for the Drinking Water SRF (an increase of over \$157 million from FY16).

III. Congressional 'Municipal Finance Caucus' Looks to Keep Municipal Bond Markets Strong

Last week, Representatives Randy Hultgren (IL) and Dutch Ruppersberger (MD) announced the creation of the Municipal Finance Caucus to fight for state and local governments' ability to independently finance projects to keep their communities strong, including protecting the tax exempt status of municipal bonds. Along with NLC, your New Jersey League of Municipalities has been active on this issue for years.

Last year, Reps. Hultgren and Ruppersberger sent a bipartisan letter to House leadership in support of municipal finance. Joined by 122 of their colleagues (63 Democrats, 61 Republicans in total), the letter asked leadership to reject any proposal to cap or eliminate the deduction on tax-exempt municipal bonds used to finance the vast majority of infrastructure projects in America's communities.

We hope that many members of our New Jersey Congressional delegation will support the work of this new caucus. Please encourage your House member to show their support for the tax exemption by joining the Caucus. To join the Caucus, they should contact [Bill Huse](#) with Congressman Hultgren's office or [Walt Gonzalez](#) with Congressman Ruppersberger's office.

IV. FCC Seeks Input on Wireless Siting Issues

As a follow-up to a [2014 Report and Order](#) on the Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, the Federal Communications Commission (FCC) has asked its Intergovernmental Advisory Committee (IAC), which includes two NLC city leaders, to prepare a report on current practices in local government review of wireless facilities siting. The FCC and the IAC hope the report will serve as a resource for local jurisdictions and the industry with respect to applications to site wireless communications facilities.

To assist in its preparation of the report, the IAC needs further information from local governments on their communities' experiences in the wireless facilities siting process. In particular, IAC members are interested in hearing about effective and efficient siting ordinances, rights-of-way agreements for deployment of small cells, creative processes and agreements between government and industry that further deployment, and other siting-related information from municipalities and industry. The IAC also values examples of "lessons learned" – that is, what has worked, and what has not.

If you have feedback for the IAC on this issue, you can submit it by email to FCC-IAC@fcc.gov. Materials sent will only be shared with the IAC. If the Committee uses your feedback in its report, you will be contacted directly by the IAC.

NLC has also developed resources for municipalities to assist them in compliance with the Order, including model ordinances and a checklist for compliance.

V. NLC Publishes Report on Policing in the 21st Century

The guide helps city officials tackle six areas that the President's Task Force declared necessary for successful community policing:

- Building Trust and Legitimacy
- Policy and Oversight
- Technology and Social Media
- Community Policing and Crime Reduction
- Officer Training and Education
- Officer Safety and Wellness

The guide also provides sample community policing strategies that cities can use in tandem with a broad municipal commitment to the community policing effort, along with additional resources that city leaders can utilize to secure assistance and funding opportunities. The guide can be [found here](#).

VI. Webinar Offered on Ten Years of ‘Roberts Court’ Decisions on State and Local Government Matters

In cases big and small, on issues ranging from race to religion, federalism to free speech, many, if not most, Roberts Court decisions have affected states and local governments. As NLC and the rest of the country anticipate a new Supreme Court appointment, now is the ideal time to reflect on the impact of the Roberts Court on state and local government over the last 10 years.

Join Tom Goldstein of SCOTUSblog and Goldstein & Russell, Adam Liptak of the New York Times, and David Savage of the Los Angeles Times, in a discussion about the decade-long history of the Robert Court and what might lie in store for states and local governments. To register for the webinar, [click here](#).

When: Wednesday, March 16th

Time: 2 PM EST

Registration Link: <https://attendee.gotowebinar.com/register/7704599405402321922>

The webinar is FREE. Continuing legal education (CLE) credit is not offered.

Please contact Jon Moran at 609-695-3481, ext. 121 or jmoran@njslom.org if you have any questions or comments on any of these matters.

Very truly yours,

Michael J. Darcy, CAE Executive
Director